

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEROY PEOPLES,

Plaintiff,

- against-

BRIAN FISCHER, DOCS Commissioner,
et al.

Defendants.

Docket Number
11-CV-2694 (SAS)

PLEASE TAKE NOTICE that upon the Memorandum of Law transmitted herewith, and all the pleadings and proceedings had herein, defendants will move this Court at United States District Court, Southern District of New York, 500 Pearl Street, New York, New York on January 16, 2012, for an order pursuant to Rule 12(b)(6) and (1) of the Federal Rules of Civil Procedure, granting them an order dismissing plaintiff's complaint and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that if you do not respond pursuant to the Federal Rules of Civil Procedure and within the applicable deadlines, the motion to dismiss, if appropriate, may be granted against you. If the motion to dismiss is granted against you, part of your case will be dismissed and there will be no trial on those issues.

Dated: November 30, 2011
New York, New York

Respectfully submitted,

ERIC T. SCHNEIDERMAN
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State of New York
Attorney for Defendants

By:

/S/
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